



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.12a

Amends the Public Aid Code. Provides that, in the event that the current pharmacy assistance program ceases to provide benefits and the federal government creates a Medicare prescription drug benefit, the Department shall develop a new supplemental coverage program to help cover out-of-pocket expenses of individuals enrolled in the Medicare prescription drug benefit program. Provides guidelines for coverage under and eligibility for the program. Effective immediately.

LRB093 18822 AMC 44557 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-5.12a as follows:

6 (305 ILCS 5/5-5.12a)

7 Sec. 5-5.12a. Title XIX waiver; pharmacy assistance
8 program. The Illinois Department may seek a waiver of otherwise
9 applicable requirements of Title XIX of the federal Social
10 Security Act in order to claim federal financial participation
11 for a pharmacy assistance program for persons aged 65 and over
12 with income levels at or less than 250% of the federal poverty
13 level. The Illinois Department may provide by rule for all
14 other requirements of the program, including cost sharing, as
15 permitted by an approved waiver and without regard to any
16 provision of this Code to the contrary. The benefits may be no
17 more restrictive than the Pharmacy Assistance Program in effect
18 on May 31, 2001. Benefits provided under the waiver are subject
19 to appropriation.

20 The Illinois Department may not implement the waiver until
21 cost neutrality is demonstrated for the State relative to the
22 final Pharmacy Assistance Program appropriation for the fiscal
23 year beginning July 1, 2001. Implementation of the waiver shall
24 terminate on June 30, 2007.

25 In the event that the program implemented under this
26 Section ceases to provide benefits and the federal government
27 creates a Medicare prescription drug benefit, the Department
28 shall develop a new supplemental coverage program to help cover
29 out-of-pocket expenses of individuals enrolled in the Medicare
30 prescription drug benefit program. The coverage under this new
31 supplemental program shall include reimbursements for
32 out-of-pocket expenses, including premiums, deductibles,

1 co-payments, and any other payments required by enrollees. The
2 coverage provided under this supplemental program may be capped
3 by the Department, provided that the cap implemented by the
4 Department is not less than the cost of Medicare prescription
5 drug coverage premiums paid by an enrollee or the amount of
6 \$420 per person, whichever is greater. In no case shall the
7 reimbursements under this supplemental program be higher than
8 the actual out-of-pocket expenses incurred by the enrollee.
9 Eligibility for the supplemental program shall be set by the
10 Department, but shall include at a minimum persons who would
11 have met income eligibility requirements for the program under
12 this Section as of January 1, 2004. The Department shall adopt
13 any additional rules to implement this new supplemental
14 pharmacy assistance program.

15 (Source: P.A. 92-10, eff. 6-11-01.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.